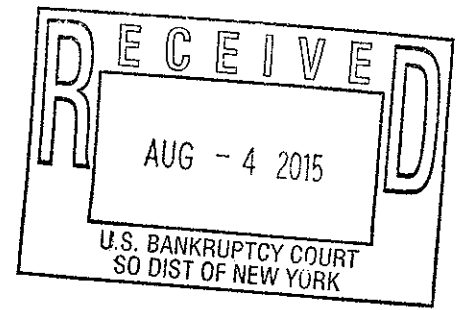


7/31/2015

Judge Martin Glenn-- Courtroom: 501
Case: 12-12020-mg
United States Bankruptcy Court
Southern District of New York
One Bowling Green
New York, NY 10004-1408



Dear Judge Martin Glenn,

As you are probably aware I am not an attorney. I was pursuing my claims against the US Treasury Department and GMAC since purportedly GMAC, AKA ResCap is 74% owned by US Treasury according to TARP Special Inspector General's Report. After I filed a Torte Claim Form-95 with the relevant federal agency first which I copied this Court and ResCap on making clear I intended to pursue my Tort Claim in the Court. I then brought a court action against the agency, in my case the US Department of the Treasury and GMAC too.

[GMAC]ResCap told me by e-mail today [attached] my suit violates the Stay you have in place. So to error on the side of precaution I am sending a Notice to the US District Court to Dismiss my suit as to GMAC/MERS from my case I filed on July 29, 2015 concurrently with this letter to you. An unsigned copy is attached and I will send a Conformed Copy once the Notice is received at the District Court and posted on PACER.

I would like to ask if you can give me permission to pursue my four causes of action I filed against GMAC since my claims against them are ongoing and pre-petition? If you are not allowed to, because of the law or the facts, just please explain it so I can understand why. If you are allowed to give me permission I'd also ask you tell those causes I cannot pursue too since I don't intend to violate your Stay [without your permission to waive it in my case]. Thank you.

Respectfully
Michael E. Boyd
Michael E. Boyd
408-891-9677



Michael E Boyd <boyd.michaele@gmail.com>

RE: ResCap - Adjourment Stipulation

1 message

Arett, Jessica Jean <JArett@mofo.com>
To: Michael E Boyd <boyd.michaele@gmail.com>
Cc: "Wishnew, Jordan A." <JWishnew@mofo.com>

Fri, Jul 31, 2015 at 12:31 PM

Mr. Boyd,

This is to inform you that filing any litigation at this time against GMAC Mortgage, LLC ("GMACM") or any of its debtor-affiliates constitutes a violation of the automatic stay imposed in GMACM's bankruptcy case, as stated in the attached plan confirmation order, specifically paragraphs 40 and 43 of that order. You should be aware that all actions taken in violation of the automatic stay are void, and parties may be held in contempt of court for violating the stay. See, e.g., Bartel v. Eastern Airlines, 1998 U.S. App. LEXIS 71, at *5 (2d Cir. 1998) (acknowledging bankruptcy court's power to impose civil contempt sanctions where a party is aware of the automatic stay and willfully ignores it); Fidelity Mortgage Investors v. Camelia Builders, Inc., 550 F.2d 47 (2d Cir. 1976).

Accordingly, we request that you immediately dismiss GMACM or any of its debtor-affiliates, with prejudice, from your lawsuit. In the event that you do not dismiss GMACM or any of its debtor-affiliates from the lawsuit (and provide us with evidence of same) within 10 business days from the date of this email, we will take appropriate action before the Bankruptcy Court and may seek the imposition of sanctions against you, including the recovery of expenses and fees incurred by GMACM in responding to the claims asserted against it in the newly-filed litigation.

The ResCap Borrower Claims Trust and the ResCap Liquidating Trust reserve, and this email shall in no way prejudice, any and all rights, claims, remedies, or defenses with respect to your lawsuit. This email is **NOT** an acceptance of service.

Jessica Arett

Jessica Arett

Morrison & Foerster LLP

250 West 55th Street | New York, NY 10019-9601

P: +1 (212) 336.4353

JArett@mofo.com | www.mofo.com

1 Michael E. Boyd
5439 Soquel Drive
2 Soquel, CA 95073
Phone: (408) 891-9677
3 E-mail: michaelboyd@sbcglobal.net
In Pro Per
4

5 UNITED STATES DISTRICT COURT
6
7 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION
8

9 MICHAEL E. BOYD,	Case No. 5:15-CV-03494 PSG
10 Plaintiff,	NOTICE FOR DISMISSAL AGAINST
11 v.	DEFENDANTS GMAC MORTGAGE
12 U.S. TREASURY ET AL.,	LLC; MORTGAGE ELECTRONIC
13 Defendants.	REGISTRATION SYSTEMS, INC.
14	(Rule 41(a). Voluntary Dismissal of Actions)
15	

16
17 **NOTICE OF VOLUNTARY DISMISSAL**

18 Plaintiff Michael Boyd hereby provides a notice of dismissal before the opposing party
19 serves either an answer or a motion for summary judgment; this entire action, including all claims
20 therein, as against defendants GMAC Mortgage LLC; and Mortgage Electronic Registration
21 Systems, Inc. only. The parties are responsible for their own attorney fees and costs resulting from
22 this litigation.
23

24 Dated: July 31, 2015

By: _____

25 MICHAEL BOYD
26 Plaintiff In Propria Persona
27
28

1
2 **PROOF OF SERVICE**

3 I, the undersigned, state that I am a citizen of the United States and employed in the County
4 of Santa Cruz, State of California. I am over the age of 18 years.

5 **PROOF OF SERVICE**

6 I, the undersigned, state that I am a citizen of the United States and employed in the County of Santa
7 Cruz, State of California. I am over the age of 18 years and not a party to the within action. My
8 address is 5439 Soquel Drive, Soquel CA 95073. On the date set out below, I served a true copy of
9 the following on the person(s)/entity(ies) listed below:

10 **US District Court only**
280 South 1st Street, Room 2112
San Jose, CA 95113

No Defendants Service has been established in the case.

11 ☐ by **service by mail** by placing said copy enclosed in a sealed envelope and depositing the
12 sealed envelope with the United States Postal Service with the postage fully prepaid.

13 ☒ by **service by mail** by placing said copy enclosed in a sealed envelope and placing the
14 envelope for collection and mailing on the date and at the place shown below following our ordinary
15 business practices. I am readily familiar with this business's practice for collecting and processing
16 correspondence for mailing. On the same day that correspondence is placed for collection and
17 mailing, it is deposited in the ordinary course of business with the United States Postal Service with
18 postage fully prepaid.

19 ☐ by **personal service** at a.m./p.m. at _____.

20 ☐ by **express or overnight mail** by arranging for pick-up by an employee of an
21 express/overnight mail company on:

22 ☐ by **facsimile service** at the number listed below and have confirmation that it was received
23 by:

24 I declare under penalty of perjury that the foregoing is true and correct.

25 Executed on July 31, 2015, at Santa Cruz, California.

26 _____
27 **Michael E. Boyd**
28 **5439 Soquel Drive**
Soquel, CA 95073
(Plaintiff In Propria Persona)